

#4



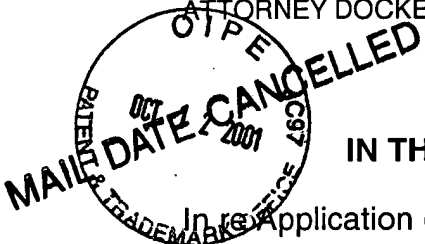
07 Rec'd PCT/PTO

15 OCT 2001

5060

PATENT

ATTORNEY DOCKET NO.: 3241-72 (D4695-00083)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Siegbert VIAL

Serial No.: 09/889,535

Examiner: not yet known

Filed: 17/JULY/2001

Group Art Unit: not yet known

For: **WRITING INSTRUMENT WITH VARIABLY INCLINABLE TIP**

DATE OF DEPOSIT:

October 12, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE FIRST-CLASS MAIL UNDER 37 C.F.R. 1.8 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231

Lewis F. Gould, Jr.  
LEWIS F. GOULD, JR., REGISTRATION NO. 25,057

Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER**

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR.

§ 1.56 in connection with the above-identified application, which statement is being  
filed:

- ☐ Together with the present application.
- ☒ Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. [37 CFR § 1.97(b)]
- ☐ After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. [37 CFR § 1.97(c)]

- ☐ After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. [37 CFR § 1.97(d)]

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

- ☒ No separate requirements are needed.
- ☒ No additional fee is required.

☐ **Fee Under 37 CFR § 1.97©**

The fee of \$240.00 for submission of an IDS under § 1.97© as set forth in § 1.17(p) accompanies this statement.

☐ **Petition Under 37 CFR § 1.97(d)**

This is a petition requesting consideration of an IDS under § 1.97(d). The petition fee of \$130.00 set forth in § 1.17(i)(1) accompanies this petition.

☐ **Certification Under 37 CFR § 1.97(e)**

Each item of information contained in this statement was either

- (1) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- (2) not known to any individual designated in § 1.56© more than three months prior to the filing of this statement.

**Provision of Copies of References**

- ☒ A copy of each of the references listed on the attached Form PTO-1449 is enclosed herewith and forms a part hereof.
- ☐ A partial translation of (translation of the Abstract only) are enclosed herewith and forms a part hereof.

- ☐ A copy of the European Search Report from a corresponding or related EPO application is enclosed herewith.
- ☐ A copy of the Search Report from a corresponding or related German application is enclosed herewith.
- ☐ A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

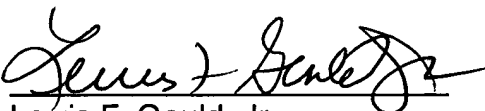
**Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted**

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior Application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_. The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- ☒ The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to **Deposit Account No. 04-1679**. A duplicate copy of this transmittal is attached.

Respectfully submitted,

Date: October 12, 2007

  
Lewis F. Gould, Jr.  
Registration No. 25,057  
Duane, Morris & Heckscher LLP  
One Liberty Place  
Philadelphia, PA 19103-7396  
(215) 979-1282

Docket No: 3241-72 (D4695-00083)